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Crl.O.P.(MD)No.14868 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.14868 of 2023

Arumugam

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manaparai Taluk,
Trichy District.
- 3.The Inspector of Police,
Vaiyampatti Police Station,
Manaparai Taluk,
Trichy District.
Crime No.256 of 2023.
- 4.The Inspector of Police,
CBCID,
Trichy District.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.256 of 2023 on the file of the third respondent Police to any other investigation agencies within the stipulated time fixed by this Court.



Crl.O.P.(MD)No.14868 of 2023

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.S.S.Madhavan
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed seeking for transfer of investigation in Crime No.256 of 2023 from the file of the third respondent Police who has been conducting investigation to any other Officer on the ground that the investigation is not being proceeded with as required under the code of Criminal Procedure.

2. According to the learned counsel appearing for the petitioner, he has transferred the property in favour of the wife of the first accused, by name, Saroja, with an understanding to re-convey the same after the issue has been resolved. However, after the death of the wife of the first accused, the accused has not reconveyed the same in favour of the petitioner. When the respondents Police have not registered a case, the petitioner has filed a complaint under Section 200 Cr.P.C and the same was referred to the Police unde Section 156(3) Cr.P.C. and a case was registered in Crime No.256 of 2023 for the offence punishable under Section 406 IPC and Sections 3(1)(f) and 3(1)(g) of the SC/ST (Prevention of Atrocities) Act, 1989. It is submitted that there is no



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substantial progress subsequent to the registration of the case. Therefore, he sought for transfer of investigation.

3. The learned Government Advocate (Criminal side) appearing for the official respondents, on the other hand, submits that the entire investigation is over and so far, five witnesses were examined and within a short time, they are going to complete the rest of the investigation and file a charge sheet, in case if the petitioner cooperates for the investigation.

4. In view of the above, this Criminal Original Petition is disposed of directing the respondents Police to complete the investigation as quickly as possible not later than four weeks from the date of receipt of a copy of this order. The petitioner is directed to co-operate with the investigation by the Police.

Index : Yes/No
Internet : Yes/No
ssb

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Trichy District.
- 3.The Inspector of Police,
Vaiyampatti Police Station,
Manaparai Taluk,
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- 4.The Inspector of Police,
CBCID,
Trichy District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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